

FILED
4/6/22 12:20 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

Brian M. and Jesse D. Heckman
Debtor(s)

: Bankruptcy Case No. 17-11306-TPA
: Chapter 13

PLAN CONFIRMATION ORDER

AND NOW, this 6th of *April, 2022*, it is hereby **ORDERED, ADJUDGED and DECREED**, with the consent of all the Parties in attendance, as follows:

A The Chapter 13 Plan dated *February 25, 2022*, except as modified herein as numbered, below, is **CONFIRMED** in accord with *11 USC 1325*. On the effective date of this Order, the Chapter 13 Trustee shall pay administrative, secured and priority creditors identified in the Plan. General unsecured creditors will not receive distributions at least until the government bar date has passed and the Chapter 13 Trustee has submitted a *Notice of Intention to Pay Claims* to the Court. The current Plan payment is **\$1,620**.

B IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

1. Objections to the Plan: This Order is effective as of the date indicated below. Pursuant to *Fed.R.Bankr.P. 2002(b)*, any party in interest with an objection to any provision of this Confirmation Order must file a written objection within the twenty-eight (28) day period following entry of this Order. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may only disburse funds pursuant to this confirmation order upon expiration of the foregoing twenty-eight (28) day period.

2. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

3. Review of Claims Docket and Objections to Claims. Pursuant to *LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review all proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

4. Motions or Complaints Pursuant to §§506, 507, or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

5. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the Plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

C IT IS FURTHER ORDERED THAT:

1. Plan terms are subject to the resolution of: timely but yet to be filed claims including government claims; all actions to determine the avoidability, priority or extent of liens, including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.

Revised 3/22/2022

2. Following payment of allowed secured and priority claims the allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.

3. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to 11 U.S.C. §1322(b)(2), nothing in this Order shall be construed to change the payment terms established in the Plan.

4. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

5. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' Counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

6. Debtor(s) shall file an Amended Schedule I and/or J in the event of:

(a) Household income increases by 10% or more over most the recently filed Schedule I, because of new employment, promotion, or otherwise.

(b) A reduction in payroll withholding (including any Domestic Support Obligation and retirement loan(s) repayments), or a 10% or more reduction of any line item expense on Schedule J.

(c) Any indicated increase in disposable income as a result of an increase in income or decrease in payroll withholding or Schedule J expense (and the fund created for the benefit of general Unsecured Creditors) is retroactive to the date of the payoff of the obligation, decrease in expense, or increase in household income.

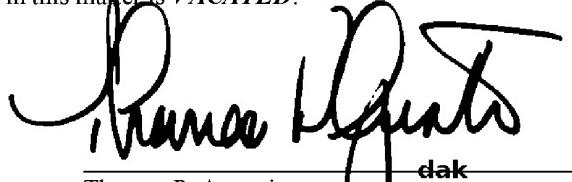
7. Debtor(s) shall provide Trustee annual tax returns and statements of income and expenses, in accordance with Section 521(f) and (g), and shall file an amended plan reflecting any increase in disposable income retroactive to date of increase.

8. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

9. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising preconfirmation defaults in any subsequent motion to dismiss.

10. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any secured claim that is secured by the subject property, unless directed otherwise by further Order of Court.

11. Any prior Confirmation Order entered in this matter is **VACATED**.



Thomas P. Agresti
United States Bankruptcy Judge
dak

cc: All Parties in interest to be served by Clerk immediately

Revised 3/22/2022

In re:
Brian M. Heckman
Jesse D. Heckman
Debtors

Case No. 17-11306-TPA
Chapter 13

District/off: 0315-1
Date Rcvd: Apr 06, 2022

User: auto
Form ID: pdf900

Page 1 of 3
Total Noticed: 28

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).

CERTIFICATE OF NOTICE

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 08, 2022:

Recip ID	Recipient Name and Address
db/jdb	+ Brian M. Heckman, Jesse D. Heckman, 326 Sutton Street, Punxsutawney, PA 15767-1444
14743349	+ Aes/keystone Best, Po Box 61047, Harrisburg, PA 17106-1047
14743353	+ Credit Control Collect, 2410 Broad Ave, Altoona, PA 16601-1940
14743356	++ NORTHWEST SAVINGS BANK, P O BOX 337, WARREN PA 16365-0337 address filed with court:, Northwest Savings Bank, 100 Liberty St, Warren, PA 16365
14743355	+ Northwest Consumer Dis, 101 E Mahoning St, Punxsutawney, PA 15767-2012
14743358	Phelan Hallinan Diamond & Jones, LLP, Attn: Peter Wapner, Esquire, 1617 JFK Boulevard, Suite 1400, One Penn Center Plaza, Philadelphia, PA 19103

TOTAL: 6

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@aisinfo.com	Apr 06 2022 23:31:22	Ally Financial, c/o AIS Portfolio Services, LP, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	Email/PDF: resurgentbknotifications@resurgent.com	Apr 06 2022 23:31:39	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
cr	+ Email/Text: ebnpeoples@grblaw.com	Apr 06 2022 23:34:00	Peoples Gas Company LLC, f/k/a Peoples TWP LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
14743349	+ Email/Text: bncnotifications@pheaa.org	Apr 06 2022 23:34:00	Aes/keystone Best, Po Box 61047, Harrisburg, PA 17106-1047
14751531	Email/Text: ally@ebn.phinsolutions.com	Apr 06 2022 23:34:00	Ally Financial, PO Box 130424, Roseville MN 55113-0004
14743350	+ Email/Text: ally@ebn.phinsolutions.com	Apr 06 2022 23:34:00	Ally Financial, 200 Renaissance Ctr, Detroit, MI 48243-1300
14743351	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Apr 06 2022 23:34:00	Comenity Bank/peebles, Po Box 182789, Columbus, OH 43218-2789
14743352	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Apr 06 2022 23:34:00	Comenitybk/victoriasec, Po Box 182789, Columbus, OH 43218-2789
14743354	+ Email/Text: electronicbkydocs@nelnet.net	Apr 06 2022 23:34:00	Dept Of Education/neln, 121 S 13th St, Lincoln, NE 68508-1904
14779758	Email/PDF: resurgentbknotifications@resurgent.com	Apr 06 2022 23:31:22	LVNV Funding, LLC its successors and assigns as, assignee of General Electric Capital, Corporation, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14780270	Email/PDF: resurgentbknotifications@resurgent.com	Apr 06 2022 23:31:22	LVNV Funding, LLC its successors and assigns as, assignee of Citibank (South Dakota), N.A., Resurgent Capital Services, PO Box 10587,

District/off: 0315-1

User: auto

Page 2 of 3

Date Rcvd: Apr 06, 2022

Form ID: pdf900

Total Noticed: 28

			Greenville, SC 29603-0587
14780474	Email/PDF: resurgentbknotifications@resurgent.com	Apr 06 2022 23:31:40	LVNV Funding, LLC its successors and assigns as, assignee of GE Money Bank, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14774498	+ Email/Text: bankruptcydpt@mcmcg.com	Apr 06 2022 23:34:00	MIDLAND FUNDING LLC, PO BOX 2011, Warren MI 48090-2011
14769197	Email/PDF: cbp@onemainfinancial.com	Apr 06 2022 23:30:57	ONEMAIN, PO BOX 3251, EVANSVILLE, IN. 47731-3251
14743357	+ Email/PDF: cbp@onemainfinancial.com	Apr 06 2022 23:31:21	Onemain, Po Box 1010, Evansville, IN 47706-1010
14766079	Email/Text: Bankruptcy.Notices@pnc.com	Apr 06 2022 23:34:00	PNC BANK, NATIONAL ASSOCIATION, ATTN: BANKRUPTCY DEPARTMENT, 3232 NEWMARK DRIVE, MIAMISBURG OH 45342
14743360	Email/Text: Bankruptcy.Notices@pnc.com	Apr 06 2022 23:34:00	Pnc Mortgage, Po Box 8703, Dayton, OH 45401
14743840	+ Email/PDF: rmscidi@recoverycorp.com	Apr 06 2022 23:31:39	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14743359	Email/Text: bankruptcypgl@plaingreenloans.com	Apr 06 2022 23:34:00	Plain Green, 93 Mack Road Suite 600, Box Elder, MT 59521
14775887	Email/Text: bnc-quantum@quantum3group.com	Apr 06 2022 23:34:00	Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
14743361	+ Email/PDF: gecscidi@recoverycorp.com	Apr 06 2022 23:31:38	Syncb/sams Club, Po Box 965005, Orlando, FL 32896-5005
14755985	+ Email/Text: electronicbkydocs@nelnet.net	Apr 06 2022 23:34:00	U.S. Department of Education, C/O Nelnet, 121 South 13th Street, Suite 201, Lincoln, NE 68508-1911
14743362	+ Email/Text: bnc-bluestem@quantum3group.com	Apr 06 2022 23:34:00	Webbank/fingerhut, 6250 Ridgewood Road, Saint Cloud, MN 56303-0820

TOTAL: 23

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		PNC Bank, National Association
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTAL: 1 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 08, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 6, 2022 at the address(es) listed below:

Name	Email Address
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Kenneth P. Seitz on behalf of Joint Debtor Jesse D. Heckman thedebterasers@aol.com

Kenneth P. Seitz on behalf of Debtor Brian M. Heckman thedebterasers@aol.com

Maria Miksich on behalf of Creditor PNC Bank National Association mmiksich@kmllawgroup.com

Mario J. Hanyon on behalf of Creditor PNC Bank National Association wbecf@brockandscott.com, mario.hanyon@brockandscott.com

Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour cmevf@chapter13trusteewdpa.com

S. James Wallace on behalf of Creditor Peoples Gas Company LLC f/k/a Peoples TWP LLC ecfpeoples@grblaw.com, PNGbankruptcy@peoples-gas.com

Thomas Song on behalf of Creditor PNC Bank National Association pawb@fedphe.com

TOTAL: 8